

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Susannah Schneider	Team: Team # 3	CCRB Case #: 200203144	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 04/13/2002 6:40 PM	Location of Incident: § 87(2)(b)	Precinct: 47	18 Mo. SOL 10/13/2003	EO SOL 10/13/2003	
Date/Time CV Reported Mon, 05/13/2002 12:41 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 05/13/2002 12:41 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT David Melendez	02436	901996	047 PCT
2. LT Paul Deentremont	00000	892944	047 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Roderic Finn	20480	922345	047 PCT
2. SGT Michael Fitzpatrick	03716	885633	047 PCT
3. POM Jorge Roman	10992	923069	047 PCT
4. POM Angelo Lagana	21984	920484	047 PCT
5. DI Thomas Galati	00000	883903	047 PCT
6. LT Richard Higgins	00000	897674	047 PCT

Officer(s)	Allegation	Investigator Recommendation
A.LT Paul Deentremont	Discourtesy: On April 13, 2002, Lieutenant DeEntremont spoke rudely and obscenely to § 87(2)(b)	
B.SGT David Melendez	Discourtesy: On April 15, 2002, Sergeant David Melendez gestured rudely towards § 87(2)(b)	

Synopsis

On April 13, 2002, § 87(2)(b) was sitting on the stoop of her home, located at § 87(2)(b) in the Bronx, when Lieutenant DeEntremont, Sergeant Melendez, and Officers Roman and Finn instructed the people on the block, including § 87(2)(b) to move. When § 87(2)(b) argued, Lieutenant DeEntremont said, “mind your business you three teeth bitch.” § 87(2)(b) continued to talk and refused to move and was arrested § 87(2)(b). § 87(2)(g)

On April 15, 2002, § 87(2)(b) was standing in front of her building when the same four officers drove by and Sergeant Melendez, who was sitting in the back seat, gave § 87(2)(b) the middle finger through the car window. § 87(2)(g)

Summary of Complaint

§ 87(2)(b) a § 87(2)(b) old black female § 87(2)(b) who is missing some teeth, provided four statements regarding this incident. On April 29, 2002, § 87(2)(b) wrote a letter that she sent to § 87(2)(b) (enc. 6D-L). On May 13, 2002, § 87(2)(b) filed her complaint over the telephone with the CCRB (enc. 4). On May 21, 2002, § 87(2)(b) gave the CCRB investigator a brief description of the incident over the telephone (enc. 5). On May 30, 2002, § 87(2)(b) was interviewed at her home, located at § 87(2)(b) in the Bronx (enc. 6A-C). § 87(2)(b), § 87(2)(g)

On April 13, 2002 at approximately 6:40 PM, § 87(2)(b) was sitting on the stoop of her building, § 87(2)(b) in the Bronx. There were a lot of people outside on the block hanging out and playing basketball and § 87(2)(b) a friend of § 87(2)(b)'s daughter, was sitting next to § 87(2)(b) on the stoop. Four police officers in plain clothes pulled up in an unmarked Buick LeSabre and got out of the car. One officer, identified by § 87(2)(b) as PO Finn and described as a short, stocky white male with dark hair, began telling everybody that they had to move. § 87(2)(b) identified this officer as PO Finn because that was the name on her desk appearance ticket but it was revealed during the course of the investigation that § 87(2)(b) was actually referring to Lt. DeEntremont.) § 87(2)(b) asked the officers why they don't go to § 87(2)(b) and mess with the guys that are out on § 87(2)(b) and § 87(2)(b) because it is very apparent that they are selling drugs out there. Lt. DeEntremont responded “mind your business you three teeth bitch,” to which § 87(2)(b) replied “fuck you.” Lt. DeEntremont then told § 87(2)(b) that if she didn't keep her mouth shut and get out of there, he was going to arrest her. § 87(2)(b) said that she was not going anywhere because she lives there. Lt. DeEntremont told § 87(2)(b) that if she continued to talk he was going to “take [her] in” and § 87(2)(b) continued to talk, saying that she was going to say whatever she wanted to say because it's a free country. At that point, Lt. DeEntremont said “okay, you're under arrest” so § 87(2)(b) stood up, turned around and put her hands behind her back to allow Lt. DeEntremont to handcuff her. Lt. DeEntremont put the handcuffs on § 87(2)(b) and they began walking across the street to the car. As they crossed the street, people on the block were asking § 87(2)(b) what was going on and if everything was okay and she told them not to worry about it. People were also saying that they would come down to the precinct and § 87(2)(b) told them not to do that. At this time, § 87(2)(b) was “dropping names” of officers that she knows in the 47th Precinct and Lt. DeEntremont told her that she was not impressing him. The four officers and § 87(2)(b) got into the car. Two of the officers, both white males, one of them wearing glasses, sat in front and § 87(2)(b) sat in between Lt. DeEntremont and another officer, a Hispanic or light skinned black male with glasses, in the back seat. As they were driving to the precinct, § 87(2)(b) was telling the officers to look at the guys blatantly standing on the corners of § 87(2)(b). The officers did not reply. When they arrived at the precinct, the officers brought § 87(2)(b) inside, had a female officer search her and then put her in the holding cell. After a few minutes Sergeant Fitzpatrick, who § 87(2)(b) knew prior to this occasion, came over to the cell and asked § 87(2)(b) what she was doing in there and she told him to ask “one of [his] boys” because they had brought her in there. Sergeant Fitzpatrick asked her what for and at this point Lt. DeEntremont came over and said to § 87(2)(b) “the reason that I brought you in here is because I couldn't leave you out there after you cursed at me in front of everybody and that's why I arrested you.” Shortly thereafter, § 87(2)(b) was given back her personal property that had been taken from her when she was brought into the precinct,

issued a desk appearance ticket and released. § 87(2)(a) 160.50

§ 87(2)(b) stated that she never raised her voice or motioned with her hands during the encounter with Lt. DeEntremont. She also stated that none of the other people on the block said anything to the officers or came near them during this encounter.

In her CCRB interview, § 87(2)(b) stated that on the following evening, April 14th, 2002, PO Lagana and PO Williams came by § 87(2)(b)'s building in a marked police van while she was standing on the stoop and told her that she couldn't stand there. § 87(2)(b) moved off of the stoop and onto the sidewalk next to it and PO Williams said, "yeah, you stand there" and the officers left. The officers were in plain clothes but § 87(2)(b) knows their names because she knows almost all of the officers in the 47th Precinct. According to the letter that § 87(2)(b) wrote to Assemblyman Heastie, however, this incident occurred on April 26, 2002, § 87(2)(b)

In her CCRB interview, § 87(2)(b) stated that on the evening of April 15, 2002, she was sitting on her stoop when Lt. DeEntremont and the same three officers from April 13, 2002 drove by the building. The white officer with glasses was sitting in the back seat of the car and held his middle finger up at § 87(2)(b) through the window as they drove by. § 87(2)(b) did not mention this incident in any of her other statements.

§ 87(2)(b)

Results of Investigation

Photo Identification Procedure

On November 14, 2002, § 87(2)(b) was shown individual photographs of Lt. DeEntremont, PO Finn, PO Roman and Sgt. Melendez (enc. 6N-V). § 87(2)(b) identified Lt. DeEntremont as the officer who cursed at her and arrested her on April 13, 2002. § 87(2)(b) identified Sgt. Melendez as the officer who gave her the middle finger on April 15, 2002. § 87(2)(b) recognized PO Roman as being present during the incidents on both April 13th and April 15th. § 87(2)(b) recognized PO Finn but did not remember him being present during the incident.

Civilian Witness Statements

§ 87(2)(b), § 87(2)(b), § 87(2)(b) and § 87(2)(b)

§ 87(2)(b) a § 87(2)(b) old black male § 87(2)(b), was interviewed at the home of § 87(2)(b) at § 87(2)(b) in the Bronx, on May 30, 2002 (enc. 7). § 87(2)(b) a § 87(2)(b) old § 87(2)(b) black male, § 87(2)(b) a § 87(2)(b) old black male § 87(2)(b), and § 87(2)(b) a § 87(2)(b) old black female § 87(2)(b), were also interviewed at § 87(2)(b)'s home on May 30, 2002 (enc. 8-10). § 87(2)(b), § 87(2)(b) and § 87(2)(b) all know § 87(2)(b) from the neighborhood. § 87(2)(b) knows § 87(2)(b) through her daughter. She gives him a ride to work every day. § 87(2)(g)

On April 13, 2002 at approximately 6:40 PM, § 87(2)(b) and § 87(2)(b) were standing on the street in front of § 87(2)(b). § 87(2)(b) and § 87(2)(b) were sitting on the stoop of that building, as was § 87(2)(b). A lot of people were hanging out and playing basketball on the block. At this point, the police arrived on the scene. According to § 87(2)(b) a marked police van drove up with approximately 5 officers in it. According to § 87(2)(b) and § 87(2)(b) an unmarked car with four officers in plain clothes arrived. § 87(2)(b) stated that an unmarked van with three or four

police officers in it pulled up. The officers got out of their vehicle and began telling everyone to move from in front of the building. § 87(2)(b), § 87(2)(b) and some other people moved over to the next building (about 8 feet away). § 87(2)(b) stayed where she was and told the officers that she didn't have to move because she lived in the building. § 87(2)(b) stated that he remained on the stoop with § 87(2)(b). At this point, the short white officer made a remark about § 87(2)(b)'s teeth, § 87(2)(g). According to § 87(2)(b) the officer made a remark along the lines of "snaggletooth." § 87(2)(b) stated that the officer told § 87(2)(b) to get her "one tooth ass" out of there and § 87(2)(b) said that the officer told her to get her "no teeth ass out of here." According to § 87(2)(b), the officer called § 87(2)(b) a "three teeth bitch" and § 87(2)(b) replied "fuck you." All of the witnesses stated that after the remark about the teeth, § 87(2)(b) was handcuffed and placed under arrest. § 87(2)(b) also stated that as § 87(2)(b) was being led to the car people on the street asked what was going on and she told them that everything was okay. § 87(2)(b) also said that he asked § 87(2)(b) if she wanted him to come down to the precinct and she said no. According to § 87(2)(b), § 87(2)(b) sat in between two of the officers in the back seat and the other two officers rode in the front seat. § 87(2)(b) stated that he and several other people went to the precinct and waited outside for § 87(2)(b). § 87(2)(b), § 87(2)(b) and § 87(2)(b) all stated that the officers involved patrol the neighborhood regularly and often tell them to move. § 87(2)(b) exhibited considerable animosity towards the officers of the 47th Precinct during his interview by calling them "assholes" and using other profanity towards them.

None of these witnesses was present on another occasion when these same officers drove by and gave § 87(2)(b) the middle finger through the car window.

§ 87(2)(b) (no relation to § 87(2)(b))

§ 87(2)(b), a § 87(2)(b) old black male § 87(2)(b), was interviewed at his home, located at § 87(2)(b), on June 28, 2002 (enc. 11). § 87(2)(b) announced that she and several young men had been given summonses § 87(2)(b) and that one of the police officers involved in giving those summonses had subsequently driven by § 87(2)(b)'s house when she was outside and given her the finger. § 87(2)(b) complained that the police were targeting her and these young men rather than the people who sell drugs. § 87(2)(b) further complained that the same officer who had given her the finger had called her a "three teeth bitch" or something to that effect. § 87(2)(b) also stated that the police didn't allow her to sit on her stoop, which she felt was wrong. A lieutenant and a community-policing officer from the 47th precinct were present at the meeting and they spoke privately with § 87(2)(b) after she addressed everyone. § 87(2)(b) was present for that conversation. The officers told § 87(2)(b) that they had a lot of complaints about drug peddling in the area but § 87(2)(b) said that she felt that they kept arresting the same young men who weren't doing anything and who lived on the block. § 87(2)(b) then told § 87(2)(b) privately that she should go to the 47th precinct Council Meeting or meet with Deputy Inspector Galati to discuss her concerns.

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§ 87(2)(b), a § 87(2)(b) old Hispanic male § 87(2)(b), was interviewed at § 87(2)(b) on June 28, 2002 (enc. 12). § 87(2)(b)

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Police Officer Statements

Police Officer Roderic Finn

PO Roderic Finn was interviewed at the CCRB on June 27, 2002 (enc. 18). On April 13, 2002, PO Finn worked anti-crime with PO Roman, Sgt. Melendez and Lt. DeEntremont. PO Finn was dressed in plain clothes. PO Finn and his partners were assigned to an unmarked dark blue Buick LeSabre. At approximately 6:40 PM, PO Finn, PO Roman, Sgt. Melendez and Lt. DeEntremont were patrolling the area of the 700 block on 228th Street in the Bronx. The officers had been cruising around the neighborhood for approximately 30 minutes during which time there was a large group of approximately 10 to 12 people outside of § 87(2)(b). The officers stopped their vehicle, got out of it and asked the people on the street to move. Some of the individuals moved and some did not. § 87(2)(b) who had been seated on the stoop of § 87(2)(b) when the officers pulled up, stood up and began telling everyone to stay and saying that they didn't have to move and that they didn't have to listen to the officers. § 87(2)(b) became loud, disorderly and belligerent and began arguing with Lt. DeEntremont, who told her that the officers were just doing their job. § 87(2)(b) was using profanity and saying "I don't have to fucking move for you guys, you guys think you rule the world, you think you're above God." § 87(2)(b) also made fun of Lt. DeEntremont's short stature. Lt. DeEntremont explained to § 87(2)(b) that there were a lot of people there and that the precinct gets a lot of complaints from residents of the neighborhood that say people sell drugs there and then he asked her again to please move. § 87(2)(b) argued that she lives there and that she doesn't have to move. Lt. DeEntremont told § 87(2)(b) that either she could leave or she could come with the officers and she responded that she would go with them then. At that point, § 87(2)(b) was handcuffed. Another car had responded to the scene by that time because the officers had called for backup. PO Finn did not provide any details about the car that responded. The call was not an 85 because it wasn't an emergency, it was just a call for another car to respond. § 87(2)(b) was taken back to the stationhouse either in the Buick with PO Finn and his partners or in this other car but PO Finn could not remember which of the two it was. At the stationhouse, PO Finn was instructed to write § 87(2)(b) a summons for § 87(2)(b).

Officer Finn did not tell § 87(2)(b) to mind her business or call her a three teeth bitch. Officer Finn didn't hear any other officer say those things to § 87(2)(b). Officer Finn did not curse at § 87(2)(b). Officer Finn didn't hear any officer speak discourteously to § 87(2)(b). Officer Finn does not know of any officer giving § 87(2)(b) the middle finger while driving by at a later date.

Officer Finn stated that the location of the incident is a high crime area and that there are a lot of drugs there and a lot of crime there.

Officer Finn stated that § 87(2)(b) has had good relations with the precinct and has even given them information in the past but she decided to be an advocate for the people standing there on the corner that day.

Lieutenant Paul DeEntremont

Lieutenant DeEntremont was interviewed at the CCRB on July 31, 2002 (enc. 21). On April 13, 2002, Lieutenant Paul DeEntremont worked as a Special Operations Lieutenant with the anti crime unit. Lt. DeEntremont was working with Sergeant Melendez, PO Roman and PO Finn. Lt. DeEntremont was wearing plain clothes. Lt. DeEntremont, Sgt. Melendez, PO Roman and PO Finn were on routine patrol in a blue four door Buick in the vicinity of § 87(2)(b) from § 87(2)(b). That block is a narcotics prone, violence prone location and Lt. DeEntremont has received numerous complaints about it at community council meetings, specifically that disorderly groups linger in the vicinity of § 87(2)(b). As Lt. DeEntremont and the other officers were passing § 87(2)(b) at approximately 6:40 PM on that day, Lt. DeEntremont noticed a group of about 6 to 8 individuals standing in front of the building. Lt. DeEntremont directed the operator of the vehicle to stop. Lt. DeEntremont exited the vehicle, proceeded to the location and requested that these individuals disperse. The majority of them began dispersing immediately. § 87(2)(b) had been approximately 15 feet west of the group when the officers initially approached. Lt. DeEntremont requested that § 87(2)(b) also move, at which point she began screaming, yelling and cursing. § 87(2)(b) told Lt. DeEntremont that he “doesn’t know what [he’s] fucking doing” and that he should be over on § 87(2)(b) because that’s where all the drug sales are made. § 87(2)(b) also said, “you keep arresting residents of the block” and went on and on, raising her voice. At this point, the individuals who had begun to disperse earlier started coming back. Lt. DeEntremont then directed the officers to place § 87(2)(b) in handcuffs and they proceeded to take her to the 47th Precinct. Lt. DeEntremont did not remember how § 87(2)(b) got back to the precinct (whether she rode in the vehicle with him and the other 3 officers or not).

At the precinct, § 87(2)(b)’s statements were a little bizarre. § 87(2)(b) complained about what goes on on her block and said that the police were targeting the wrong individuals. § 87(2)(b) asked to speak to Sergeant Fitzpatrick and Lt. DeEntremont informed Sgt. Fitzpatrick that § 87(2)(b) was requesting to speak to him. § 87(2)(b) wasn’t making much sense; she was ranting and raving and her sentences were incomplete. She began to cry for no apparent reason. Sergeant Fitzpatrick had a conversation with § 87(2)(b). Lt. DeEntremont wasn’t present for that conversation although he may have been in and out of the arrest processing room. § 87(2)(b) was then issued a summons § 87(2)(b) and released.

Lt. DeEntremont did not recall if § 87(2)(b) made any comments about his height. Lt. DeEntremont stated that he did not say, “mind your business you three teeth bitch” to § 87(2)(b) or make any such comment about her teeth. Lt. DeEntremont did not hear any other officers use any profanity or make any comment about § 87(2)(b)’s teeth.

Lt. DeEntremont did not remember any occasion shortly after this incident in which he was in a car with other officers and they drove by § 87(2)(b) at the same location and gave her the finger.

Officer Jorge Roman

Officer Jorge Roman was interviewed at the CCRB on July 24, 2002 (enc. 20). On April 13, 2002, PO Roman was assigned to anti-crime and was dressed in plain clothes. PO Roman was working with PO Finn and Sergeant Melendez. Lieutenant DeEntremont was also present at the time of the incident. PO Roman and his partners were assigned to an unmarked vehicle. At approximately 6:40 PM, there was a large crowd in front of § 87(2)(b) that was obstructing pedestrian traffic. There were approximately 10-15 people gathered on the sidewalk. PO Roman, PO Finn, Lt. DeEntremont and Sergeant Melendez drove around the block once and came back a second time at which time they stopped their vehicle, got out and told the crowd to disperse. The officers instructed the individuals to clear the sidewalk and told them that they couldn’t stand there. § 87(2)(b) told the officers “get out of our block, you don’t belong here, this is my block.” § 87(2)(b) asked the officers why they were always harassing the people on her block and why they didn’t go to § 87(2)(b). The other individuals moved when the officers instructed them to do so; only § 87(2)(b) refused. The officers took § 87(2)(b) into the stationhouse and gave her a summons § 87(2)(b). PO Roman didn’t recall who handcuffed § 87(2)(b) or whose decision it was to arrest her. PO Roman didn’t think that § 87(2)(b) rode with them; he thinks that another car probably came and took her to the precinct. § 87(2)(b) received a summons § 87(2)(b) at the precinct and it was determined that there were no warrants outstanding for her.

PO Roman stated that § 87(2)(b) didn't argue that she didn't have to move because she lived at the location. PO Roman did not recall § 87(2)(b) making fun of Lt. DeEntremont's short stature. PO Roman did not recall Lt. DeEntremont telling § 87(2)(b) to mind her business or calling her a "three teeth bitch." PO Roman did not recall another occasion on which he and his partners drove by the location and one of them gave § 87(2)(b) the middle finger.

PO Roman stated that the block on which the incident occurred is a drug prone location and that the police get numerous calls for disorderly conduct in the vicinity.

Sergeant David Melendez

Sergeant David Melendez was interviewed at the CCRB on October 4, 2002 (enc. 24A-B). Sergeant Melendez had no independent recollection of the incident on April 13, 2002.

Sergeant Melendez was interviewed at the CCRB again on December 13, 2002 (enc. 24E-F) regarding the incident on April 15, 2002. Sergeant Melendez was not working on that date; it was his regular day off.

Sergeant Michael Fitzpatrick

Sergeant Michael Fitzpatrick was interviewed at the CCRB on June 14, 2002 (enc. 16). On April 13, 2002, Sergeant Fitzpatrick was in charge of the Field Training Unit and was in the stationhouse doing administrative work for much of the day, including the time of the incident. On that evening, somebody told Sergeant Fitzpatrick that somebody was asking for him in the cells so he went back there. The person in question was § 87(2)(b). She had been arrested for some reason, which Sergeant Fitzpatrick did not know at the time of the interview. At that time, Sergeant Fitzpatrick spoke with § 87(2)(b) about the drug dealing in front of her house and what the police are trying to accomplish there. He did not recall whether she said anything about her arrest that evening. Sergeant Fitzpatrick did not recall any officer coming over while he was speaking with § 87(2)(b). He did not know who the arresting officer was. He did not hear Officer Finn tell § 87(2)(b) why she had been arrested. Sergeant Fitzpatrick did not recall seeing Officer Finn in the stationhouse that night. § 87(2)(b) did not make any complaints to Sergeant Fitzpatrick about any officers on that occasion or anytime soon thereafter. On other occasions she has complained to him when he has arrested drug dealers that she knows. Sergeant Fitzpatrick knows § 87(2)(b) who often speaks to him about problems in her neighborhood.

Lieutenant Richard Higgins

Lieutenant Richard Higgins was interviewed at the CCRB on August 6, 2002 (enc. 22). On April 25, 2002, Lieutenant Higgins attended a community board meeting. At the meeting, § 87(2)(b) made a general complaint. § 87(2)(b) was upset about a previous incident on § 87(2)(b). § 87(2)(b) felt that the police weren't addressing the proper issues on that block. § 87(2)(b) made a statement that someone in the crowd said that she had three teeth but Lt. Higgins was not clear if it was a police officer that made this comment or not. § 87(2)(b) never identified any officer to Lt. Higgins.

Deputy Inspector Galati

The Investigator spoke with Deputy Inspector Galati on the telephone on June 12, 2002 (enc. 14). Deputy Inspector Galati stated that he did have a meeting with § 87(2)(b) in early May during which they discussed her complaints about the officers of the 47th Precinct. Also present at the meeting were § 87(2)(b) and § 87(2)(b). According to Deputy Inspector Galati, the problem stems from the fact that § 87(2)(b) lives in a drug prone location (which has been that way for many years) where a lot of law enforcement is done. Deputy Inspector Galati stated that on one date in particular (which he did not specify), 7 individuals were being issued summonses on the corner of § 87(2)(b) and § 87(2)(b). § 87(2)(b) approached the scene and voiced her opinion to the officers there that they were bothering the wrong people and that they should be dealing with the people dealing drugs rather than the people who live on the block. § 87(2)(b) was then issued a summons § 87(2)(b). Of the individuals who were issued summonses on that day, only 2 (including § 87(2)(b) actually lived on that block and several of them had criminal records. This was

explained to § 87(2)(b) at the meeting. Deputy Inspector Galati also explained to her that there is an ongoing situation at that location in terms of frequent drug activity. Deputy Inspector Galati told § 87(2)(b) that he would speak to the officers in the precinct about being careful to make the distinction between people who live in a given location and people who deal drugs. § 87(2)(b) seemed satisfied at the end of the meeting.

Deputy Inspector Galati stated that during the meeting § 87(2)(b) did say that she heard an officer make a comment about her teeth but that she was unable to identify the officer and was not clear about whether the officer said it directly to her or whether she overheard it. She was not sure which officer made the comment. She wasn't clear about when it happened either.

Deputy Inspector Galati also stated that during the course of the meeting § 87(2)(b) mentioned something about officers driving by with their middle fingers raised but that she did not make any substantial allegation about this. He got the impression that § 87(2)(b) felt she was being targeted.

Deputy Inspector Galati stated that § 87(2)(b) does know a lot of the officers in the 47th Precinct and that she seems to like the good work that they're doing.

PO Angelo Lagana

Police Officer Angelo Lagana was interviewed at the CCRB on June 1, 2002 (enc. 13). On April 14, 2002, Officer Angelo Lagana was working with PO Williams in Conditions Auto 2. At approximately 10:30 PM he was in the house handling an arrest from § 87(2)(b) and § 87(2)(b). He knows that he did come back out on patrol because his next memo book entry is at 12:10 am at § 87(2)(b) and § 87(2)(b). April 26, 2002 was Officer Lagana's regular day off.

Officer Lagana stated that he is not familiar with § 87(2)(b).

Police Documents

Roll Call

The 47th Precinct roll call for April 13, 2002, tour 3 confirms that Lt. DeEntremont was working as the Special Operations Lieutenant and that Officer Finn, Officer Roman and Sergeant Melendez were all assigned to anti-crime (enc. 25). The roll call also shows that Sergeant Fitzpatrick was a patrol supervisor at that time.

Command Log

The 47th Precinct command log for April 13, 2002 contains an entry indicating that § 87(2)(b) was arrested by Officer Finn for § 87(2)(b) and brought into the precinct at 7:35 PM on that date (enc. 26).

Status of Criminal Charges

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Criminal Conviction History of Civilian Witnesses

§ 87(2)(b)

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(b)

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Substantiated CCRB Cases that Resulted in the Imposition of Discipline

Lieutenant DeEntremont has one CCRB substantiated case that resulted in discipline. Based upon an incident that occurred on 6/12/96, Lt. DeEntremont was found guilty of force through DCT negotiation. CCRB records do not indicate what penalty was imposed.

Sergeant Melendez does not have any previous CCRB cases that resulted in the imposition of discipline.

Conclusions and Recommendations

Officer Identification

In her CCRB complaint and CCRB interview, § 87(2)(b) identified the subject officer as PO Finn. However, further investigation revealed that the subject officer was actually Lieutenant DeEntremont, not PO Finn. § 87(2)(b)'s mistake stems from her assumption that the officer with whom she had the primary interaction on the street and who told her she was being arrested was her arresting officer and therefore his name would be on the desk appearance ticket that she was issued at the precinct. § 87(2)(g)

According to the statements of both PO Finn and Lt. DeEntremont, Lt. DeEntremont was the officer who had the primary interaction with § 87(2)(b) and decided to arrest her and informed her of that decision. Additionally, in her CCRB interview, § 87(2)(b) described the subject officer as a white stocky male about her height § 87(2)(b) is 5'2"). § 87(2)(b), § 87(2)(b) and § 87(2)(b) all described the subject officer as being a short white male as well and § 87(2)(b) and § 87(2)(b) said that he was stocky. Lt. DeEntremont is 5'4" and 175 pounds. PO Finn, on the other hand, is 5'8" and 175 pounds. § 87(2)(g)

Additionally, when shown photographs of all four officers present, § 87(2)(b) identified Lt. DeEntremont as the officer who cursed at her and arrested her. § 87(2)(g)

Upon viewing photographs of the four officers present on April 13, 2002, § 87(2)(b) identified Sgt. Melendez as the officer who gave her the middle finger on April 15, 2002. § 87(2)(g)

Complainant Credibility

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

In her CCRB interview, § 87(2)(b) said that this occurred on April 14, 2002, the day after the original incident. However, the CCRB interview took place more than a month after the incident and § 87(2)(b) originally said that this encounter with POs Williams and Lagana took place "the next day." When she was asked to clarify by the investigator, § 87(2)(b) said that it happened the day after the central incident. § 87(2)(b), § 87(2)(g)

§ 87(2)(b) also stated in her CCRB interview that on a separate date officers were driving by her house and one of them gave her the middle finger. § 87(2)(b) did not mention this in her letter to § 87(2)(b). § 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

In addition to the four statements that § 87(2)(b) gave directly to the CCRB, either verbally or in writing, § 87(2)(b) made several statements to other parties about the incident on April 13, 2002. § 87(2)(b)

§ 87(2)(b) confirmed that § 87(2)(b) complained that an officer involved in giving her a summons had called her “a three teeth bitch” in all three of these statements. § 87(2)(b) § 87(2)(b) stated that § 87(2)(b) said there that the officer who had arrested her had called her “a toothless bitch.” § 87(2)(g)

Lt. Higgins admitted that § 87(2)(b) complained to him that someone had said she had three teeth during her arrest but that it was not clear whether it was a police officer or not. Deputy Inspector Galati also confirmed that § 87(2)(b) alleged that an officer made a comment about her teeth when he met with her in May 2002 but said that she could not identify the officer. § 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(b), § 87(2)(b) and § 87(2)(b) were all present on April 13, 2002 when § 87(2)(b) was arrested and all confirmed that an officer made a discourteous comment about her teeth on that occasion. § 87(2)(b), § 87(2)(g)

Finally, § 87(2)(b) who was sitting next to § 87(2)(b) at the time of the incident and therefore would have been able to hear the officer’s words best, stated that the officer called § 87(2)(b) a “three tooth bitch.” The four witnesses do know § 87(2)(b) as neighbors and friends and three of them have had prior interactions with these officers and other officers in the 47th precinct, § 87(2)(b), § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Officer Credibility

Lieutenant DeEntremont

§ 87(2)(g) In his CCRB interview, Lt. DeEntremont claimed that when § 87(2)(b) began arguing that she did not have to move, several of the other people who had begun to move away upon the officers' instructions to do so began to come back towards § 87(2)(b) and the officers. None of the other officers present made any such claim and both of the officers who recalled the incident, PO Finn and PO Roman, stated explicitly that all of the other civilians moved when instructed to do so and that only § 87(2)(b) stayed put. § 87(2)(g)

Additionally, Lt. DeEntremont stated that he did not recall § 87(2)(b) making any comments about his height. According to PO Finn, § 87(2)(b) was making fun of the lieutenant's short stature. § 87(2)(b), § 87(2)(g)

Lt. DeEntremont also stated that once she was at the precinct, § 87(2)(b)'s statements were bizarre and incomplete and that she was ranting and raving. Sergeant Fitzpatrick, however, who spoke with § 87(2)(b) while she was in the holding cell, did not describe § 87(2)(b) as being upset or emotional and made no claim of her speaking in incomplete sentences or in an irrational manner. § 87(2)(b), § 87(2)(g)

Police Officer Finn, Police Officer Roman and Sergeant Melendez

§ 87(2)(g) Sergeant Melendez § 87(2)(g) stated that he had no recollection of the incident and did not know who § 87(2)(b) was. § 87(2)(b), § 87(2)(g)

§ 87(2)(b) stated that Lt. DeEntremont told her that if she didn't keep her mouth shut he was going to arrest her and that if she continued to talk he was going to "take [her] in." § 87(2)(g)

§ 87(2)(g)

Allegation A: Lieutenant Paul DeEntremont spoke rudely and discourteously to § 87(2)(b)
(Patrol Guide Procedure 203-09)

§ 87(2)(b) alleged that PO Finn said, “mind your business you three teeth bitch” to her. As discussed previously, it is clear that § 87(2)(b) was mistaken in her identification of PO Finn and that she was referring to Lt. DeEntremont in her allegation. § 87(2)(b), § 87(2)(b), § 87(2)(b) and § 87(2)(b) all confirmed that Lt. DeEntremont made a derogatory remark to § 87(2)(b) about her teeth. Lt. DeEntremont denied making this comment. PO Finn and PO Roman said that they did not hear Lt. DeEntremont make this comment. § 87(2)(b), § 87(2)(g)

According to Patrol Guide Procedure 203-09, officers must be courteous and respectful when dealing with the general public (enc. 1A). Administrative case law dictates that “an officer may not use profanity gratuitously, or to intimidate or retaliate or to show a lack of respect for a citizen.” (enc. 1B). § 87(2)(b), § 87(2)(g)

Allegation B: Discourtesy: Sergeant Melendez Gestured Obscenely Towards § 87(2)(b)
(Patrol Guide Procedure 203-09)

§ 87(2)(b) claimed that on April 15, 2002, Sergeant Melendez gave her the middle finger as he and other officers, including PO Roman, drive by her house when she was standing out front. Sergeant melendez was not working on April 15, 2002; it was his regular day off. § 87(2)(b), § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: